HIGHLIGHTS OF PBCA NOFA & ACC FOR NOFA

(2012 CHANGES, DELETIONS, ADDITIONS)

Office of Housing Assistance Contract Administration Oversight March 15, 2012 (updated 04/06/2012)

PBCA NOFA (UPDATED TIMELINE)

Anticipated Timeline 2012

Published NOFA

Application Deadline

Award Announcements

PBCA Transition period

• Interim ACC's will expire

Interim ACC's will extend

• Effective date of new ACC's

March 9

June 11

August 31

September 1 –November 30

September 30

October 1 – November 30

December 1

 Office of Departmental Grants Management and Oversight (ODGMO)

NOFA SUPPORT

- Conduct Webcast training on grants.gov.
- Provide technical assistance related to the "INSTRUCTIONS ON HOW TO DOWNLOAD AN APPLICATION PACKAGE AND APPLICATION INSTRUCTIONS" in the FY2012 General Section at www.grants.gov.
- 202-708-0667 (this is not a toll-free number).

 Persons with hearing or speech impairments may access the number via TTY by calling the Federal Relay Service at 800-877-8339.

 Office of Departmental Grants Management and Oversight (ODGMO)

NOFA COMPLIANCE:

- Prohibition Against Lobbying Activities.
- Compliance with Fair Housing and Civil Rights Laws.
- Affirmatively Furthering Fair Housing.
- Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP).
- Effective Communication. All communications shall be provided in a manner that is effective for persons with hearing, visual, and other communications-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973.

NOFA REQUIRED DOCUMENTS:

- Application for Federal Assistance (SF-424).
- Grant Application Detailed Budget (Form HUD-424-CB).
 - Budget must comply with OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments."
- Applicant/Recipient Disclosure/Update Report (Form HUD-2880).
- Disclosure of Lobbying Activities (SF-LLL)
- "Faith Based EEO Survey" (SF424SUPP) on Grants.gov (optional submission).

NOFA REQUIRED REPORTING:

- Racial and Ethnic Data (if collecting data).
- Transparency Act Reporting:
 - Prime Awardee Reporting.
 - Prime Awardee Executive Compensation Reporting.
 - Sub-award Executive Compensation Reporting.
- Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), also known as "Section 872".

- Grants.gov Technical Support
 - Applications must be submitted electronically, as prescribed in the General Section using Grants.gov website.
 - Applicants must:
 - Have a DUNS number which is registered in the Central Contractor Registration (CCR);
 - Have a User ID and password for the Grants.gov system;
 - Be authorized by the eBusiness Point of Contact for the applicant identified in box 8a of the SF424.
 - Grants.gov Support is open Monday Friday. Email <u>support@grants.gov</u>

Telephone 1-800-518-4726

- Office of Assisted Housing and Community Development, Office of General Counsel
 - Review applicant's Reasoned Legal Opinion and, if applicable, its Supplemental Letter.
 - Notify applicant, via email through HACAO, if it's application is not legally eligible.
 - Notify out-of-state applicant, via email through HACAO, if its application has been rejected.
 - "HUD will consider applications from out-of-State applicants *only* for States for which HUD does not receive an application from a legally qualified in-State applicant. Receipt by HUD of an application from a legally qualified in-State applicant will result in the rejection of any applications that HUD receives from an out-of-State applicant for that state."

- Office of Housing Assistance Contract Administration Oversight (HACAO)
 - Manage Technical Team that verifies applications are complete; comply with format and file name requirements, and enters application data in system.
 - Manage Technical Evaluation Panel (TEP) Teams composed of Multifamily Housing Contract Administration Oversight Monitors, Supervisory Project Managers, & Project Managers.

- Office of Housing Assistance Contract Administration Oversight (HACAO)
 - TEP Teams are composed of 3 members.
 - Team members individually evaluate the applicant's responses to each of the sub-factors in Rating Factors 1 and 2 and Rating Factors 3 and 4 and assign points.
 - Team members compare individual evaluations and points, reconcile differences, and arrive at the final evaluation and final total points for Rating Factors 1 through 4.

- Unit Limitation for Multi-State PBCAs and contractors (i.e., 33% of total units in the Portfolio of All Active Section 8 Project Based Contracts). (deleted)
- Owner and/or Management Agent References. (deleted)
- HUD Program Staff References. (deleted)
- Full Time Equivalents Report. (no change)
- PHA Disaster Plan. (no change)

- Rating Factors
 - 1. Capability Statement 4 sub-factors, up to 20 points
 - 2. Soundness of Approach
 - a. Technical Approach 5 sub-factors, up to 24 points
 - b. Quality Control Plan 7 sub-factors, up to 24 points
 - 3. Affirmatively Furthering Fair Housing no subfactors, up to 1 point
 - 4. Job Creation no sub-factors, up to 1 point
 - 5. Proposed Basic Administrative Fee Percentage fixed points scale, up to 30 points
 - Applicants must receive at least 45 points of 70 available in Rating Factors for Capability, Soundness of Approach and Policy Priorities to qualify for award.

- Rating Factors
 - Narrative responses to Capability sub-factors may describe the experience of the PHA and/or its Instrumentality and/or one or more Contractors that the PHA has engaged or plans to engage to provide services.
 - Narrative responses to Technical Approach and Quality Control Plan sub-factors may describe the approaches and plans that will be implemented by the PHA and/or its Instrumentality and/or one or more Contractors that the PHA has engaged or plans to engage to provide services.

Rating Factors

- Evaluation criteria to receive the maximum points for each sub-factor are specified.
- Points assigned to each sub-factor are specified.
- Partial points may be assigned to sub-factors with more than one (1) maximum point. For example, if "up to 2 points" may be assigned, the actual number of points assigned may be 1 or 0.
- If less than the maximum number of points are assigned to a sub-factor, the reason(s) will be noted.
- Large point losses for a single sub-factor are eliminated. The maximum number of points for a single sub-factor that could be lost is "up to XX."

- Rating Factors
 - Fixed points are assigned to the proposed Basic Administrative Fee Percentage based on a scale that is detailed in the NOFA.
 - Higher proposed fee percentages will be assigned fewer points than lower proposed fee percentages.
 - A proposed fee of 2% will be assigned 1 point.
 - A proposed fee of 1% or less will be assigned 30 points.

- Rating Factors
 - Awards will be made to the applicant with the most points. In case of a tie:
 - The award will go to the applicant with the greatest number of points assigned to Rating Factor 5, Proposed Administrative Fee Percentage. If tied on this Rating Factor, then
 - 2. The award will go to the applicant with the greatest number of points assigned to Rating Factor 1, Capacity. If tied on this Rating Factor, then
 - 3. The award will go to the applicant with the lowest proposed fee percentage.

• Applicant will have an opportunity to request a debriefing that details the points assigned to the Rating Factors in its application.

- ACC for NOFA Term: 2 Years. (no change)
- Unit Limitation for Multi-State PBCAs and contractors (i.e., 33% of total units in the Portfolio of All Active Section 8 Project Based Contracts). (deleted).
- OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments." (added)
- Disaster Plan for PHA Operations related to performance of the ACC. (no changes)
 - Annual Certification. (no changes)
- Annual Financial Operations & Full Time Equivalent (FTE) Report. (no changes)

- Basic Administrative Fee Percentage Limitation:
 CHANGE: Reduced from "Not to exceed 2.5%" to "Not to
 exceed 2.0%" of 2-Bedroom Fair Market Rents based on
 reduced MOR workload.
- Annual Incentive Fee for Customer Service (no change)
- Annual Incentive Fees for Performance (no change)
- Acceptable Quality Levels for Performance Based Tasks (PBTs) (no changes)
- Performance Based Task Allocation Percentages (no changes)
- Disincentive Deduction Percentages (no changes)

- PBT #1 Management and Occupancy Reviews (MORs)
 - **DELETED:** Requirement to conduct a MOR annually for 100% of assigned projects.
 - NEW REQUIREMENTS:
 - Schedule and conduct a Risk-Based MOR of projects in the assigned portfolio during the term of the ACC, using Form HUD 9834, based on the following risk-based criteria for the projects listed in Exhibit G, captioned "MOR Ratings for Projects with PBCA Administered HAP Contracts":

- o PBT #1 MORs
 - NEW REQUIREMENTS (continued)
 - Projects for which the last MOR resulted in a rating of Below Average or Unsatisfactory: One
 (1) MOR shall be conducted during each 12-month period during the ACC Term.
 - Projects for which the last MOR resulted in a rating of Satisfactory: One (1) MOR shall be conducted for fifty-percent (50%) of the projects during the first 12-month period of the ACC Term and one (1) MOR shall be conducted for the remaining fifty-percent (50%) of the projects during the second 12-month period of the ACC Term.

- o PBT #1 MORs
 - NEW REQUIREMENTS (Continued):
 - Projects for which the last MOR resulted in a rating of Above Average or Superior will not be reviewed during each 12-month period during the ACC Term.

o PBT #1 MORs

NEW REQUIREMENTS (Continued):

 Schedule and conduct an MOR annually during the ACC term, using Form HUD 9834, of each project in the assigned portfolio that is subject to a HAP Contract that is a Full Mark-to-Market Renewal Contract, entered into pursuant to Section 8 and section 515(a) [or section 515(b)] of MAHRA, as stated in section 4.b. of such Renewal Contract, without regard for the previous MOR rating for the project. Such projects are listed in Exhibit H, captioned "Mark-to-Market Projects with PBCA Administered HAP Contracts."

o PBT #1 MORs

TWO NEW ACC EXHIBITS:

- Exhibit G: MOR Ratings for Projects with PBCA Administered Contracts
- Exhibit H: Mark-to-Market Projects with PBCA Administered Contracts

- PBTs #2 through #8) (no changes)
 - 2. Adjust Contract Rents
 - 3. Review & Pay Monthly Vouchers
 - 4. Renew HAP Contracts & Process Terminations or Expirations
 - 5. Tenant Health, Safety, and Maintenance Issues
 - 6. Administration Monthly & Quarterly Reports
 - 7. Administration—ACC Year End Reports & Certifications
 - 8. Annual Financial Reports PHA Fiscal Year End

- Questions about the ACC for NOFA Revisions should be emailed to: <u>PBCA_ACC_Revisions@hud.gov</u>
 (PBCAunderscoreACCunderscoreRevisions@hud.gov)
- View answers on NOFA Web page click on link under "What's Hot" at

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rfp/sec8rfp